

Judge Pechman

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHN TYRONE GUEST,

Defendant.

NO. CR05-0389P

ORDER GRANTING THE
DEFENSE REQUEST TO
CONTINUE THE TRIAL DATE

THE COURT having considered the defendant's request to continue the trial date and his agreement to extend the time for trial by signing a speedy trial waiver in open court, as well as the records and files herein, hereby makes the following findings of fact:

1. That the defendant was permitted to discharge Michael Bejarano (counsel for the defendant up until January 13, 2006) and allowed Peter Mazzone to take over as his counsel in this matter.

2. The Court finds that a failure to grant a continuance of the current trial date (January 30, 2006) would deny Peter Mazzone, the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(8)(B)(ii).

3. The Court further finds that the ends of justice will be served by ordering a continuance in this case and that a continuance is necessary to insure effective trial preparation and that these factors outweigh the best interests of the public in a more

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UNITED STATES ATTORNEY
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1 speedy trial within the meaning of 18 U.S.C. § 3161(h)(8)(A).

2 IT IS THEREFORE ORDERED that the trial date be continued from January 30,
3 2006, to May 22, 2006. The deadline for the defense to file any additional pretrial
4 motions is March 3, 2006.

5 IT IS FURTHER ORDERED that the period of time from January 30, 2006, up to
6 and including the new proposed trial date of May 22, 2006, shall be excludable time
7 pursuant to the Speedy Trial Act, 18 U.S.C. §§ 3161, *et. seq.*

8 DONE this 18st day of January, 2006.

9
10 /S/Marsha J. Pechman
11 MARSHA J. PECHMAN
United States District Court Judge
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13 Presented by:

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15 s/ C. Andrew Colasurdo
C. ANDREW COLASURDO
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20

21 s/ Peter Mazzone (per telephonic approval)
PETER MAZZONE
22 Attorney for John Guest
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